

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

Texas, <i>et al.</i>)	CIVIL ACTION NO:
)	1:17-CV-00425-SS
v.)	
)	
Travis County, Texas, <i>et al.</i>)	
)	

MOTION TO DISMISS BY DEFENDANTS CITY OF EL CENIZO, TEXAS, RAUL L. REYES, MAVERICK COUNTY, TOM SCHMERBER, AND MARIO A. HERNANDEZ

Defendants City of El Cenizo, Texas, Raul L. Reyes, Maverick County, Tom Schmerber, and Mario A. Hernandez (“the *El Cenizo* parties”) move to dismiss Texas’s First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(1).

In support of this motion, Defendants rely on the attached Memorandum.

For the reasons stated in this Motion and the accompanying Memorandum, Defendants respectfully request the Court grant this Motion and dismiss this action.

Dated: June 28, 2017

Respectfully Submitted,

Lee Gelernt*
Omar C. Jadwat*
Andre I. Segura*
Spencer E. Amdur*
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Phone: (212) 549-2600
Fax: (212) 549-2654
lgelernt@aclu.org
ojadwat@aclu.org
asegura@aclu.org
samdur@aclu.org

/s/ Luis Roberto Vera, Jr.
Luis Roberto Vera, Jr.
LULAC National General Counsel
SBN: 20546740
THE LAW OFFICE OF LUIS ROBERTO VERA, JR.
& ASSOCIATES
1325 Riverview Towers
111 Soledad
San Antonio, TX 78205-2260
Phone: (210) 225-3300
Fax: (210) 225-2060
lrvlaw@sbcglobal.net

Max Renea Hicks
LAW OFFICE OF MAX RENEA HICKS
P.O. Box 303187

Edgar Saldivar
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF TEXAS
1500 McGowen Street, Suite 250
Houston, TX 77004
Phone: (713) 325-7011
esaldivar@aclutx.org

Austin, TX 78703
Phone: (512) 480-8231
rhicks@renea-hicks.com

Cecillia D. Wang*
Cody H. Wofsy*
Stephen Kang*
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
39 Drumm Street
San Francisco, CA 94111
Tel: (415) 343-0770
cwang@aclu.org
cwofsy@aclu.org
skang@aclu.org

**Pro Hac Vice Forthcoming*

Attorneys for the Defendants

CERTIFICATE OF SERVICE

I, Luis Vera, Jr., hereby certify that on June 28, 2017 copies of Defendants' Motion to Dismiss were electronically filed via the Court's CM/ECF system.

Dated: June 28, 2017

/s/ Luis Roberto Vera, Jr.
Luis Roberto Vera, Jr.
LULAC National General Counsel
SBN: 20546740
THE LAW OFFICE OF LUIS ROBERTO VERA,
JR. & ASSOCIATES
1325 Riverview Towers
111 Soledad
San Antonio, TX 78205-2260
Phone: (210) 225-3300
Fax: (210) 225-2060
lrvlaw@sbcglobal.net